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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,721	11/06/2000	Shigeto Kobayashi	Q61482	7810

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2100 Pennsylvania Avenue N W
Washington, DC 20037

EXAMINER

SELBY, GEVELL V

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/705,721

Applicant(s)

KOBAYASHI ET AL.

Examiner

Gevell Selby

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/6/00 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 11/6/00
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
- 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
- 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Gowda et al., US 6,628,333.**

In regard to claim 1, Gowda et al., US 6,628,333, discloses a printer-incorporated electronic still camera (see figure 1) comprising an imaging device (see figure 1, element 110), a memory (see figure 1, element 112), a printing device (see figure 1, element 114), a display device (see figure 1, element 116), and a mode selection device (see figure 1, element 200) for switching over the still camera between a photography mode for converting optical images into electronic image signals through the imaging device and storing the image signals in the memory (see column 2, lines 30-33), a reproduction mode for displaying still images on the display device based on the image signals read out from the memory (see column 2, lines 36-37), a print mode for printing the displayed still image on a recording medium (see column 2, lines 33-35), and a setup mode for setting up many kinds of setup items of the still camera (see column 5, line 55 to column 6, line 5 and column 6, lines 26-31), wherein the setup items are sorted into a plurality of

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groups, and the display device displays the setup items of one group at a time in the setup mode (see column 6, lines 13-25).

When the camera provides for menu driven selection, at least two menu groups would be provided by the camera. The first group is a menu of camera functions (R, A, E, P, and #) that are buttons in the other embodiments are displayed on the display screen. The second group is a menu of image processing functions that would be required to select the functions which may include adjustment of hue, brightness, contrast, and red-eye removal. Since there are two display screens, two sets of display menu groups are provided.

In regard to claim 4, Gowda et al., US 6,628,333, discloses a printer-incorporated electronic still camera as claimed in claim 1, further comprises a detection device (electrical connection for power source 138) for detecting whether or not the recording medium is loaded in the still camera (see column 6, lines 51-54), and a control device (see figure 1, element 118) for controlling the display device to display a group of setup items that relate to the photography mode initially if the still camera is not loaded with the recording medium when the setup mode is selected, or a group of setup items that relate to the print mode initially if the still camera is loaded with the recording medium when the setup mode is selected.

The electrical connection between the power source integrated in the film cartridge and the camera provides a detection signal to the camera to determine whether or not the recording medium is loaded. It is inherent that the camera will remain in

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photography mode and not allow the user to print if there is no film cartridge and when there is a cartridge, the camera will switch to print mode when it is selected.

In regard to claim 5, Gowda et al., US 6,628,333, discloses a printer-incorporated electronic still camera as claimed in claim 4, wherein the recording medium is a self-development type photo film sheet (see figure 5B), and the still camera is provided with a pack loading chamber for loading a film pack that contains a plurality of said photo film sheets therein (see figure 4C, printer slot), wherein the detection device (electrical connection for power source 138) is located in the pack loading chamber to detect whether the film pack is loaded or not (see column 6, lines 51-54).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gowda et al., US 6,628,333 in view of Everett, Jr., US 4,600,319.**

Gowda et al., US 6,628,333, discloses a printer-incorporated electronic still camera as claimed in claim 1, but does not comprise an acceleration sensor and a device for judging by signals from the acceleration sensor whether the still camera is in a stable position or in an unstable position, and controlling the display device to display a group

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of setup items that relate to the photography mode initially if the still camera is judged to be in the unstable position when the setup mode is selected, or a group of setup items that relate to the print mode initially if the still camera is judged to be in the stable position when the setup mode is selected.

Everett Jr., US 4,600,319, discloses a printer with a vibration and/or shock sensing means or acceleration sensor that temporarily interrupts the operation of the printer when the sensor detects a level beyond a predetermined value (see column 2, lines 6-10). The print data is temporarily stored in a buffer and the print head location is saved so that when the level falls back below the threshold, the printing can resume where it left off to insure reliable printing (see column 2, lines 10-24).

It would have been obvious to a person skilled in the art at the time of invention to have been motivated to modify Gowda et al., US 6,628,333, in view of Everett Jr., US 4,600,319, to have a vibration/shock detector or acceleration means to suspend printing mode or not let the camera enter printing mode, remaining in the camera mode display, if the level of the sensor is above a predefined threshold in order to provide reliable printing operation while precluding the loss of data as taught by Everett, Jr. (see column 3, lines 62-67).

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gowda et al., 6,628,333 in view of Umeda et al., 5,920,342.

In regard to claim 3, Gowda et al., US 6,628,333, discloses a printer-incorporated electronic still camera as claimed in claim 1, but does not further comprise a lens shielding device for shielding a lens of the imaging device from external light, and a

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detection device for detecting whether or not the lens is shielded by the lens shielding device, and a control device for controlling the display device to display a group of setup items that relate to the photography mode initially if the lens is not shielded when the setup mode is selected, or a group of setup items that relate to the print mode initially if the lens is shielded when the setup mode is selected.

Umeda et al., US 5,920,342, discloses a camera with a lens cap and lens cap detector that sends a warning to the display for the convenience of the user to decrease wrong use (see column 9, lines 46-54 and column 11, lines 9-16).

It would have been obvious to a person skilled in the art at the time of invention to modify Gowda et al., US 6,628,333, in view of Umeda et al., US 5,920,342, to have a shielding device or lens cover and a detection device to detect when the lens cover is attached and send a warning message to the display as well as have the controller not allow the camera to switch to camera mode, remaining in printer mode, so that faulty pictures would not be taken, in order to provide a convenience to the user as taught by Umeda.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art discloses printer-incorporated electronic still cameras:

US 4,937,676,

US 6,094,282,

US 5,917,548,

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US 5,909,248,

US 6,229,565.

US 5,499,068, discloses a camera with a shake detecting section.

US 6,611,291, discloses a camera with display menus.

US 6,441, 854, discloses a camera with a film cartridge detector.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 703-305-8623. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary, Vu Le can be reached on 703-308-6613. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gvs

VU LE
PRIMARY EXAMINER